

1 ROB BONTA  
Attorney General of California  
2 ERIC M. KATZ  
Supervising Deputy Attorney General  
3 JENNIFER KALNINS TEMPLE, State Bar No. 258637  
Deputy Attorneys General  
4 300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 269-6324  
Fax: (916) 731-2128  
6 E-mail: Jennifer.KalninsTemple@doj.ca.gov  
*Attorneys for Defendants*  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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12 **NEVADA IRRIGATION DISTRICT,**  
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14 Plaintiff,  
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16 **v.**  
17 **EILEEN SOBECK, in her official capacity**  
**as Executive Director of the California State**  
**Water Resources Control Board, et al.,**  
18 Defendants.  
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2:21-cv-00851-DJC-CKD

**STIPULATION AND ORDER TO  
EXTEND TIME FOR DEFENDANTS TO  
RESPOND TO COMPLAINT**

Judge: Hon. David J. Calabretta

Action Filed: 12/04/2020

**STIPULATION**

WHEREAS on December 4, 2020, Plaintiff Nevada Irrigation District (Plaintiff) filed its Complaint;

WHEREAS on September 22, 2021, Defendants Eileen Sobeck, et al., filed a Motion to Dismiss, or, in the alternative, Motion to Stay Plaintiff's Complaint on the grounds that this Court lacks jurisdiction to hear Plaintiff's claims because Plaintiff's claims are not ripe, because Plaintiff lacks Article III standing, and because the Eleventh Amendment immunizes Defendants from suit in federal court (ECF No. 37);

WHEREAS on December 6, 2023, the Court granted the motion in part and denied it in part (ECF No. 72) granting Plaintiff leave to amend within 30 days of the issuance of that Order, thereby allowing Plaintiff until January 5, 2024 to file an amended complaint should it choose to do so;

WHEREAS rule 144 of the Local Rules provides that parties may stipulate to extensions of time subject to court approval;

WHEREAS counsel for Defendants contacted counsel for Plaintiff on December 7, 2023 to seek an extension of time for Defendants to respond to the Complaint or an amended Complaint should Plaintiff file one given the uncertain status of the operative pleading and upcoming holidays; and

WHEREAS the parties now desire to extend the deadline for Defendants' responsive pleading to February 2, 2024 (28 days after January 5, 2024);

THEREFORE, the parties by and through their respective counsel, stipulate as follows:

1. Defendants' responsive pleadings will be due February 2, 2024.
2. This stipulation may be executed in counterpart originals and by facsimile or electronic signature, each of which shall be deemed to be an original, and all of which shall constitute one and the same document.

1 Dated: December 14, 2023

VAN NESS FELDMAN LLP

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4 /s/ Jenna R. Mandell-Rice

JENNA R. MANDELL-RICE

Attorneys for Plaintiff

Nevada Irrigation District

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8 Dated: December 14, 2023

ROB BONTA

Attorney General of California

ERIC M. KATZ

Supervising Deputy Attorney General

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11  
12 /s/ Jennifer Kalnins Temple

JENNIFER KALNINS TEMPLE

Deputy Attorneys General

Attorneys for Defendant Eileen Sobeck

**ORDER**

Based on the parties' stipulation, the due date for Defendants to respond to Plaintiff's complaint or amended complaint is extended to February 2, 2024.

IT IS SO ORDERED.

Dated: December 15, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE